270 Nostrand Avenue
Block 1778, Lot 55, p/o Lot 49
Borough of Brooklyn
November 3, 2020

I. Introduction

This is an application by BRP East Brooklyn Development LLC (the "Applicant"), the contract vendee of 270 Nostrand Avenue (Block 1778, Lot 55), Borough of Brooklyn (the "Development Site"), located in Brooklyn Community District 3 in the neighborhood of Bedford-Stuyvesant ("Bed-Stuy"), for land use actions to facilitate a new 14-story mixed residential and retail building (the "Proposed Development") at the site of the former CABS nursing home. These land use actions will facilitate the Proposed Development, which will contain 342,920.72 square feet of floor area and approximately 487 dwelling units, of which approximately 144 will be affordable workforce housing. The proposed rezoning will also allow ground-floor retail use along Nostrand and Dekalb Avenues on Block 1778, which, unlike the surrounding blocks, does not contain a commercial overlay or existing commercial uses. The land use actions required to facilitate the Proposed Development are as follows:

1. Zoning map amendment to rezone the area within 240 feet of Nostrand Avenue from an R7A zoning district to an R8A zoning district, and to map a C2-4 commercial overlay within 100 feet of Nostrand Avenue and extending 240 feet within 100 feet of Dekalb Avenue (comprising the Development Site, and an approximately 1.83-foot-wide portion of Lot 49, referred to as the "Rezoning Area" and/or the "Project Area"); and

2. Zoning text amendment to designate the rezoned area as a Mandatory Inclusionary Housing (MIH) area in Appendix F of the Zoning Resolution.

The Applicant proposes to map an R8A zoning district within 240 feet of Nostrand Avenue. The R8A district will therefore cover the entirety of the Development Site (which is 238.17 feet wide) as well as a 1.83-foot-wide portion of adjacent Lot 49 (590 Dekalb Avenue). A C2-4 overlay will be mapped within 100 feet of Nostrand Avenue and extending 240 feet along the south side of and within 100 feet of Dekalb Avenue. Mapping a C2-4 overlay along Nostrand and Dekalb Avenues will serve to strengthen those retail corridors, which will help to fulfill the convenience retail needs of residents and local employees. Since the Development Site extends only approximately 238 feet 2 inches from Nostrand Avenue, an

approximately one-foot-ten-inch-wide portion of Lot 49 will be included in the Rezoning Area. Lot 49 (590 Dekalb Avenue) contains an existing seven-story, 111-unit senior housing building which is subject to a Regulatory Agreement with the Department of Housing Preservation and Development. The Development Site (Lot 55) is currently vacant, but previously contained the four-story CABS nursing home, which was vacated in 2016 and demolished in 2018.

II. Background

The CABS nursing home was constructed on the Development Site in 1975 using funds raised by the non-profit Consumer Action Program of Bedford Stuyvesant, Inc. (CABS), to serve Black and Hispanic populations in Bedford-Stuyvesant. At that time, the Development Site was Site No. 111 in the Central Brooklyn Community Development Plan, an urban renewal plan adopted in 1968 (CP-20511). In 1984, the Bedford-Stuyvesant I Urban Renewal Plan superseded the Central Brooklyn CDP and mapped the Development Site as "institutional use" in reflection of the existing nursing home. The controls of the Urban Renewal Plan expired in 2008, and related deed restrictions appurtenant to the Development Site expired in 2009.

In 2001, the site to the north of the Development Site (which is now a Home Depot) received a special permit pursuant to ZR 74-922 to allow Use Group 6 and 10A retails uses, including a supermarket, in excess of 10,000 square feet, within an M1-5 zoning district, pursuant to ULURP No. C000023ZSK.

In 2012, the City Council adopted a comprehensive rezoning of Bedford-Stuyvesant North, which had been proposed by the Department of City Planning at the request of Community Board 3 and local elected officials (the "Bed-Stuy North Rezoning").[1] The goals of the rezoning were to preserve the existing character and building patterns in the residential core of the neighborhood, to direct new residential and mixed-use growth to commercial/transit corridors, to incentivize affordable housing creation in major corridors, and to promote vibrant, active, pedestrian-friendly streets with regulations to reinforce their commercial character. In the Bed-Stuy North Rezoning, much of the neighborhood was rezoned from R6 (a district without a firm height limit) to contextual districts. The Development Site, being located on a major thoroughfare, was rezoned from R6 to R7A in the Bed-Stuy North Rezoning and mapped as an

[1] See CPC Report Nos. C 120294 ZMK, N 120295 ZRK, and N 120296 ZRY (Calendar Nos. 6, 7 and 8), dated September 5, 2012.

Inclusionary Housing ("IH") designated area, along with the rest of Block 1778. R7A districts were deemed appropriate for major thoroughfares developed with larger apartment buildings, and which are well-served by mass transit and function as important locations for local retail and services.

BRP East Brooklyn Development LLC is the contract vendee of the Development Site and intends to pursue the Proposed Development. The nursing home building was vacated in 2016 and demolished in 2018.

III. Surrounding Area

Introduction

The Development Site is located in Brooklyn Community District 3, at the corner of Nostrand Avenue and Dekalb Avenue, major north-south and east-west avenues in Central Brooklyn, in the neighborhood of Bedford-Stuyvesant. Within a radius of 600 feet of the Development Site (the "Surrounding Area"), there are a variety of land uses and built forms, including high- and mid-rise apartment buildings, low density big box retail, and three- to four-story brownstone townhouses. The Development Site has good access to public transportation, is next to an existing Manufacturing District containing big-box retail, and is approximately four blocks east of a number of tower-in-the park NYCHA public housing blocks. The surrounding context supports the opportunity for greater density and additional height at the Development Site beyond what the existing zoning would allow.

Public Transit

The Surrounding Area is within a Transit Zone and is well served by mass transit. The Development Site is located adjacent to a B44 Select Bus Service (bus rapid transit) bus stop on Nostrand Avenue, and is only a block away from the Bedford-Nostrand Avenue G subway station. The B44 Select Bus Service, an express bus making stops approximately every half-mile, runs between Sheepshead Bay and Williamsburg Bridge Plaza, with connections to Kings County & SUNY Downstate Hospitals at Clarkson Avenue, and Flatbush Avenue/Brooklyn College. The Development Site is also a block away from the Bedford-Nostrand G train station, which connects Court Square in Long Island City, Queens, to Church Avenue in Kensington, Brooklyn. Other bus lines in the Surrounding Area include the B38, which runs from Ridgewood to

Downtown Brooklyn, along Dekalb and Lafayette Avenues. Bus lines beyond the Surrounding Area include the B48, which runs from Lefferts Gardens to Greenpoint, along Classon and Franklin Avenues, and the B54, which runs from Downtown Brooklyn to Ridgewood via Myrtle Avenue.

Land Uses and Built Form

Land uses in the Surrounding Area include big-box retail, institutional uses such as churches, health care facilities, a public pool, parks, and residential townhouses.

The most prominent commercial use in the Surrounding Area is the big-box Home Depot and adjacent 225-space open parking lot, located on a superblock directly across from the Development Site on Dekalb Avenue. Other commercial uses are concentrated along Nostrand and Dekalb Avenues, in the form of ground-floor retail in buildings with residential uses above. There are a number of small retail stores and restaurants along Nostrand and Dekalb Avenue, including Sugarhill Restaurant & Supper Club, a historic supper club in operation since 1979.

There are a number of institutional uses and public facilities in the Surrounding Area. Brooklyn Job Corps Academy, a technical school providing on-the-job training, administered by the U.S. Department of Labor, has a campus across from the Development Site on Dekalb Avenue. Directly across from the Development Site on Nostrand Avenue are medical offices owned and operated by the Health Insurance Plan of Greater New York and developed in 1986 in conjunction with the Bedford-Stuyvesant I Urban Renewal Plan. The Kosciuszko Pool, which is run by the New York City Parks Department, is located to the east of the Development Site and contains an Olympic-size pool and a wading pool. Nearby public schools include the Benjamin Banneker School (PS 256), located two blocks to the southeast of the Development Site, and PS 54 Samuel C. Barnes, located one block to the north of the Development Site. The Brooklyn Community Arts and Media High School at 300 Willoughby Avenue is located six blocks to the west of the Development Site. Nearby daycare centers include the Salvation Army Bedford Day Care Center at 110 Kosciuszko Street and Tabernacle Day Care Center at 34 Kosciuszko Street. The Marcy branch of the Brooklyn Public Library is approximately 100 feet to the northeast of the Development Site, on Dekalb Avenue. The 7.82-acre Herbert Von King Park, designed by Frederick Olmsted in a town square style, is two blocks away from the Development Site.

Residential uses in the Surrounding Area are primarily lower scale townhouses to the south of the Development Site, though there are a few notable taller apartment and institutional buildings. On the same block as the Development Site and within the Surrounding Area is a 12-story, 135-foot-tall apartment building at 31 Kosciuszko Street. Thirty-one Kosciuszko was constructed in 2011, prior to the Bed-Stuy North Rezoning, which rezoned the entirety of Block 1778 from an R6 district (a district where height is governed by a sky exposure plane) to a contextual R7A zoning district with stricter height controls. In addition, the Brooklyn Tabernacle Deliverance Center, a five-story institutional building, rises to a height of 105 feet approximately a block away from the Development Site at 600 Lafayette Avenue. Five 85-foot-tall residential apartment buildings are located partially within the Surrounding Area, at 191-201 and 209 Spencer Street, between Dekalb Avenue and Willoughby Avenue.

A number of NYCHA tower-in-the park style large apartment buildings are located outside of the Surrounding Area, to the west of the Development Site, including the 20-story Lafayette Gardens at the corner of Lafayette Avenue and Franklin Avenue, and the 24-story Pratt and Ryerson Towers further along Dekalb and Lafayette Avenues. There are also newer six- and seven-story apartment buildings on Nostrand Avenue at 255 Nostrand, 276 Nostrand, and 627 Dekalb Avenues.

Zoning

The Development Site is mapped as an R7A zoning district. That R7A zoning district extends for the entirety of Block 1778, and also runs along Bedford Avenue (one block west of Nostrand Avenue) from Myrtle Avenue to Quincy Street. A C2-4 overlay is mapped within 100 feet of Bedford Avenue.

R7A districts allow a residential FAR of 4.0 (or, if paired with an IH district, a base FAR of 3.45 and maximum FAR of 4.6) and a community facility FAR of 4.0. Developments in R7A must comply with Quality Housing regulations, and may rise to a maximum base height of 65 feet (or 75 feet with a Qualifying Ground Floor ("QGF"), and a maximum building height of 80 feet (85 feet with a QGF). For IH or Mandatory Inclusionary Housing ("MIH"), developments may reach a maximum base height of 75 feet, and a maximum building height of 90 feet (95 feet with a QGF).

C2-4 overlay districts, when paired with R7A districts, allow a commercial FAR of 2.0. The height and setback of developments in C2-4 overlay districts paired with R7A districts are governed by residential height and setback regulations for Quality Housing buildings for R7A districts.

Directly to the north of the Development Site, covering much of a superblock, is an M1-5 district. M1-5 zoning districts are high-density industrial districts that allow commercial and manufacturing uses at a 5.0 FAR, with bulk controlled by a sky exposure plane that begins at 85 feet above curb level, or at 6 stories, whichever is less.

R6B zoning districts are generally mapped on the midblocks in the Surrounding Area and beyond. R6B districts allow a residential FAR of 2.0 (and if paired with an IH district, a maximum FAR of 2.2) and a community facility FAR of 2.0. Developments in R6B districts must comply with Quality Housing regulations, and are permitted to reach a maximum base height of 40 feet, and a maximum building height of 50 feet.

An R6A zoning district, paired with a C2-4 commercial overlay, is generally mapped along Nostrand Avenue. R6A districts allow a residential FAR of 3.0 (or, if paired with an IH district, a base FAR of 2.7 and a maximum FAR of 3.6), and a community facility FAR of 3.0. Developments in R6A districts must comply with Quality Housing regulations, and may rise to a maximum base height of 60 feet (or 65 feet with a QGF) and a maximum building height of 70 feet (or 75 feet with a QGF). For IH or MIH developments, developments may reach a maximum building height of 80 feet (or 85 feet with a QGF).

Special Zoning Areas

An IH designated area is mapped over the Development Site and the rest of Block 1778. It runs south on Bedford Avenue (one block west of Nostrand) from Dekalb Avenue. In IH designated areas, the permitted maximum residential FAR is generally lower than in non-IH designated areas, but may be increased with the provision of affordable housing either on- or off-site. The Development Site and the Surrounding Area is mapped as a Transit Zone, an area where lower accessory parking requirements apply for affordable housing. FRESH zoning incentives are available at the Development Site and the Surrounding Area, as they are in much of the neighborhood of Bed-Stuy. There are no landmarks or historic districts in the Surrounding Area.

IV. Description of Proposed Project Area

The Project Area includes 270 Nostrand Avenue (the Development Site) as well as an approximately 2-foot-wide portion of the adjacent 590 Dekalb Avenue, located to the west of the Development Site. The Project Area is located in Community District 3 in Bedford-Stuyvesant, Brooklyn.

270 Nostrand Avenue (Lot 55), the Development Site, is a regularly shaped tax lot containing 47,634 square feet of area, with 200 feet of frontage on Nostrand Avenue and approximately 238.17 feet of frontage on both Dekalb Avenue and Kosciuszko Street. It is the site of the former CABS nursing home, which was vacated in 2016 and demolished in 2018. There is a Select Bus Service express bus stop for the B44 on Nostrand Avenue directly adjacent to the Development Site. Currently, there is one curb cut, approximately 12 to 18 feet in width, located at the western edge of the Development Site on Dekalb Avenue.

590 Dekalb Avenue (Lot 49) is a 24,220 square foot L-shaped lot improved with a 7-story senior housing building and an open accessory parking lot. The senior housing building was developed by CABS in 1984 in conjunction with the CABS nursing home. Only an approximately 2-foot-wide portion of 270 Nostrand Avenue will be rezoned from R7A to R8A and R8A/C2-4.

V. Description of Proposed Development

The Applicant proposes to develop a new 14-story mixed commercial, community facility and residential development at the Development Site. The Proposed Development will contain 342,920.72 square feet of floor area, equivalent to a 7.2 FAR. Within that total, there will be 330,908.72 square feet of residential use, 10,884.20 square feet of commercial retail use, and 1,127.80 square feet of community facility use. Four hundred eighty-seven dwelling units will be provided, of which approximately 144 (equivalent to 30% of the residential floor area) will be affordable pursuant to the Workforce Option of the Mandatory Inclusionary Housing ("MIH") program. The lobby for the residential portion of the building will be located on Nostrand Avenue. The 10,884.20 square feet of commercial floor area will be located on the ground floor along Nostrand and Dekalb Avenues, within the new C2-4 overlay. 1,127.80 square feet of community facility floor area will be provided on the ground floor on Dekalb Avenue.

The mass of the Proposed Development is designed to relate to the surrounding context. The Proposed Development will rise to 14 stories on Dekalb and Nostrand Avenues, which are busy retail corridors, but step down to 12 stories along Kosciusko Street as a gesture toward the lower-rise neighborhood to the south of the Development Site. The 14-story portion of the building will reach a height of 145 feet, and the 12-story portion will be 20 feet lower, at 125 feet in height. Setbacks of 15 feet will be provided on all three sides of the building at a height of 85 feet. Although the applicant is

proposing an R8A district at the Development Site, which would allow a maximum permitted base height of 105 feet, the Applicant proposes that the Proposed Building's base height before setback will only reach 85 feet.

The Proposed Development will have a U shaped footprint, with a courtyard opening onto the shared property line between 270 Nostrand and 590 Dekalb. The Proposed Development will be set back from the property line at ground level by 3 feet 6 inches on all three street frontages, to provide additional sidewalk width. Lot coverage of the Proposed Development will be 60% within 100 feet of Nostrand Avenue, and 44.4% on the remaining portion of the Development Site.

The Proposed Development will contain 176 parking spaces on the first floor and mezzanine of the building, with an entrance and exit on Kosciuszko Street via one 26 foot 4 inch curb cut, located approximately 209 feet from the intersection of Nostrand Avenue and Kosciuszko Street. The new curb cut will replace the existing 12 to 18 foot wide curb cut on Dekalb Avenue, located approximately 221 feet from the intersection of Nostrand Avenue and Dekalb Avenue. 144 dwelling units will be affordable pursuant to the MIH Workforce Option, and therefore not subject to parking requirements. The remaining 343 dwelling units are subject to a 40% parking requirement and therefore 137 parking spaces will be required.

VI. Actions Necessary to Facilitate Proposed Development

Approval of the following actions is necessary to facilitate the Proposed Development:

1. Zoning map amendment to rezone the area within 240 feet of Nostrand Avenue from an R7A zoning district to an R8A zoning district, and to map a C2-4 commercial overlay within 100 feet of Nostrand Avenue and extending for 240 feet within 100 feet of Dekalb Avenue;

2. Zoning text amendment to designate the rezoned area as a Mandatory Inclusionary Housing area in Appendix F of the Zoning Resolution.

Summary of Zoning Map Amendment and Zoning Text Amendment

Zoning Map Amendment

The Applicant respectfully requests a zoning map amendment to rezone the area within 240 feet of Nostrand Avenue from an R7A zoning district to an R8A zoning district, and to map a C2-4 commercial overlay within 100 feet of both Nostrand Avenue and Dekalb Avenue.

The Rezoning Area comprises both the Development Site (Lot 55) and an approximately one-foot-ten-inch-wide portion of adjacent 590 Dekalb Avenue (Lot 49), though the rezoning will have no effective impact on Lot 49. The R8A zoning district will be mapped within 240 feet of Nostrand Avenue, covering the entirety of the Development Site and a strip of 590 DeKalb Avenue (Lot 49) approximately 1.83 feet wide. The C2-4 overlay will thus be mapped within 100 feet of Nostrand Avenue, and on the northern half of Block 1778 it will extend approximately 240 feet from Nostrand Avenue, to reflect Dekalb Avenue's character as a commercial street. The majority of 590 Dekalb Avenue will remain zoned R7A.

In R8A zoning districts, when paired with an MIH area, residential uses are permitted at a 7.2 FAR, with a requirement that at least 25% of the residential floor area be affordable to households at 60% of AMI or at least 30% of the residential floor area be affordable to households averaging 80% of AMI, or averaging 115% of AMI when utilizing the Workforce Option. Community facility uses are permitted at a 6.5 FAR. In a C2-4 zoning district, when overlaid on an R8A zoning district, commercial uses are permitted at a 2.0 FAR. Contextual bulk regulations within an R8A zoning district require Quality Housing development that either preserves or establishes a scale compatible with older, higher density buildings, with street walls located at the street line. R8A districts permit new building heights between 12 to 14 stories. Residential buildings in R8A districts must follow not only the Quality Housing bulk regulations but must provide amenities related to interior space, recreation area and landscaping. Within an MIH area, new developments (which are required to provide affordable housing equivalent to 25% to 30% of residential floor area) may rise to a maximum height of 145 feet and 14 stories. Accessory off-street parking spaces are required for 40% of market rate dwelling units. Within the Transit Zone, no off-street accessory parking spaces are required for affordable dwelling units provided pursuant to the IH or MIH program.

Rezoning of the Development Site from R7A to R8A will facilitate the creation of approximately 144 dwelling units affordable to workforce populations with moderate to middle incomes and 341 dwelling units at market rate. Mapping of the C2-4 commercial overlay along Nostrand and Dekalb Avenues will facilitate filling in a retail gap on those two streets.

Zoning Text Amendment

The Mayor's policy is to require the mapping of an MIH area whenever a zoning change substantially increases the residential capacity of a zoning lot. Therefore, the Applicant proposes an amendment to the Zoning Resolution to map the Project Area as an MIH area by amending Appendix F of the Zoning Resolution. The MIH area automatically increases the permitted residential FAR for the R8A district from 6.02 to 7.2, with exceptions for certain small developments, AIRS developments, and developments obtaining a BSA waiver; the commercial FAR will remain at 2.0 and the community facility FAR will remain at 6.5.

The Applicant is proposing to utilize the Workforce Option of the MIH program, which requires dedication of 30 percent of the residential floor area as permanently affordable for households at an average of 115 percent of Area Median Income, of which at least 5 percent is affordable for households at an average of 70% AMI, and 5 percent is affordable for households at an average of 90% AMI. Thirty percent of the residential floor area is approximately equivalent to 144 of the 487 proposed dwelling units.

Pursuant to Section 23-154(d)(3) of the Zoning Resolution, the Workforce Option must always be mapped and made available in combination with either Option 1 or Option 2. The Applicant proposes to map the Workforce Option in combination with Option 2 within the MIH area. Option 2 requires that, for new developments, an amount of affordable floor area equivalent to at least 30% of the residential floor area within the development be provided, with the weighted average of all income bands not exceeding 80% AMI, no more than three income bands provided, and no income band exceeding 130% of the income index.

Land Use Rationale - Affordable Workforce Housing

Over the past few decades, Bed-Stuy's population has grown and its housing market has experienced upward pressures. The median monthly rent increased by 77% from 2005 to 2015, rising to $1,230.[2] Almost half of Bed-Stuy's housing stock are historic brownstone townhouses, many of which

[2] "An Economic Snapshot of the Bedford-Stuyvesant Neighborhood," Report 5-2018, by Office of the State Comptroller, Sept. 2017.

have fewer than five units, and which generally are not subject to rent stabilization or other government protections.[3] At the same time, the population of Bed-Stuy is growing; from 1980 to 2015, the population grew by 34%, faster than the citywide rate of growth, and now exceeds 150,000 people.[4] More housing for a range of different incomes is needed. The Proposed Development will provide approximately 144 units of workforce housing and 343 market rate units in partial fulfillment of that need.

Rezoning of the Development Site to an R8A zoning district will allow provision of approximately 54 additional affordable units than would otherwise be possible under the existing R7A zoning district (in an R7A zoning district under IH regulations, approximately 90 affordable units would be created). The approximately 144 total affordable units of workforce housing are intended to meet the needs of Bed Stuy residents who do not qualify for many of the deeply affordable units being developed in the last 10 to 20 years, but who also cannot afford to rent or purchase at market rates due to rising prices in the neighborhood. Rezoning of the Project Area to include a C2-4 commercial district will also fill in gaps in the existing C2-4 overlays along Dekalb and Nostrand Avenues and allow for a continuous street wall of retail on a busy commercial corridor.

The Applicant proposes to comply with the Workforce Option of the Mandatory Inclusionary Housing program, which will result in approximately 144 units of affordable housing, which is equivalent to approximately 30% of the residential floor area of the Proposed Development. The weighted average of all income bands for the affordable housing will be 115% of AMI, with no more than four income bands, and with no income band exceeding 135%, and at least 5% of the residential floor area affordable at 70% AMI, and at least 5% of the residential floor area affordable at 90% AMI. The affordable housing will not utilize public funding.

Provision of new housing affordable at workforce income levels is a step to address the housing needs of a population that experiences a gap in the housing market. Twenty-five percent of the household incomes in Bed-Stuy are classified as either "moderate-income," meaning they earn between 81% and

[3] See NYC Housing and Vacancy Survey (HVS) 2017, cited in "Bed-Stuy Housing Initiative – About the Initiative" by New York City Department of Housing Preservation and Development, available at https://www1.nyc.gov/assets/hpd/downloads/pdf/community/bed-stuy-housing-initiative-kick-off-boards.pdf.
[4] "An Economic Snapshot of the Bedford-Stuyvesant Neighborhood," Report 5-2018, by Office of the State Comptroller, Sept. 2017.

120% AMI, or "middle-income," meaning they earn between 121% and 165% AMI.[5] Moderate-income families are those defined as earning, for a family of three, between $81,920 and $122,880 per year. Moderate income families are those defined as earning, for a family of three, between $122,880 and $168,960 per year. Individuals and families at these income levels might include civil servants such as teachers, health-care workers, police officers and firefighters.

A Study by the Independent Budget Office found that the City is prioritizing the financing of affordable housing for the lowest income bands – extremely low, very low and low income housing.[6] Much of the affordable housing developed in Bed-Stuy and surrounding neighborhoods in the past 10 to 20 years utilized the 421-a tax abatement program, which required 20% of residential floor area to be affordable housing for low income populations at 80% AMI and below, thus excluding moderate and middle income working families. Other new developments have targeted low income populations specifically. These new developments include 810 Fulton Street in Fort Greene, which has 73 units (20% of the total number) affordable to households earning an average of 60% AMI; Marcus Garvey Apartments, a 625-unit Mitchell Lama property in Brownsville built in the 1970s and affordable to "low income" tenants earning between 50% and 80% AMI; and Livonia Commons in East New York, which contains 278 affordable units for households earning between 40% and 60% AMI. Conversely, new market rate development in Bed-Stuy, and existing market rate rentals, are too expensive for working class families.

Housing is in short supply all across the spectrum of low and moderate income renters. However, a lack of workforce housing for moderate income households persists in Bed-Stuy. Mayor DeBlasio's housing plan published in 2014, Housing New York: A Five-Borough, Ten-Year Plan, specifically noted that the private market does not produce enough housing affordable to moderate- and middle-income households. The Proposed Development is intended to partially address that gap in the rental market.

[5] See ACS data for 2013-2017, cited in "Bed-Stuy Housing Initiative " by New York City Department of Housing Preservation and Development, available at https://www1.nyc.gov/assets/hpd/downloads/pdfs/services/bed-stuy-rfp-workshop-presentation.pdf.

[6] https://ibo.nyc.ny.us/iboreports/affordable-for-whom-comparing-affordability-levels-of-the-mayors-housing-new-york-plan-with-neighborhood-incomes-february-2019.html

Land Use Rationale – Existing Context, Public Transit, and Near Manufacturing District

The Project Area is an appropriate location for the housing density that will permit approximately 144 units of much-needed affordable housing and 343 market-rate units. Located at the intersection of two major commercial corridors, and benefitting from immediate proximity to numerous public transit lines, the Project Area is appropriate for higher-density residential development in furtherance of the City's goal to develop mixed-income affordable housing. The Project Area is also appropriate for higher density residential development due to its insulation from Bed-Stuy's typical low-density rowhouses, and adjacency to institutional uses and big-box retail, which combine to mitigate the visual impact of the Proposed Development. The Development Site represents a unique opportunity to harness a former urban renewal site to create new housing opportunities through a rezoning. Former urban renewal sites are among the only large-scale sites in the neighborhood, but few of them are available for redevelopment.

The Project Area is geographically centrally located within Bedford-Stuyvesant, but is unique in that it is not adjacent to a concentration of low-density brownstone rowhouses characteristic of much of Bed-Stuy. It is instead located in a part of Bedford-Stuyvesant that has been historically altered by 1960s urban renewal, which resulted in the demolition of swaths of townhomes to create large-scale development sites for institutional uses. The immediate area surrounding the Development Site is comprised of large tax lots that were cleared and redeveloped pursuant to the 1968 Central Brooklyn Community Development Plan and the 1984 Bedford-Stuyvesant I Urban Renewal Plan. Although not an urban renewal site, to the south of the Development Site, at 276 Nostrand Avenue, is a new construction 6-story rental building constructed in 2017 on a 10,200 square feet site. There are some townhouses on Kosciuszko Street, but they are the only townhouses directly across from the Development Site. On three sides – west, north, and east – the Development Site is bounded by large sites created via urban renewal and containing, respectively, the CABS senior housing building, the Home Depot, and the Health Insurance Plan of Greater New York health care building, and, further east, Kosciuszko Pool.

Because the Development Site is adjacent to several large, low-density former urban renewal sites, the visual impact of the 14-story Proposed Development will be mitigated. They also will serve to buffer the Proposed Development from the more typical Bed-Stuy low-rise townhouses further from the Development Site. The uses on the urban renewal sites – the Home Depot, health care center, and the

7-story senior housing building - will not be adversely affected by increased density at the Development Site. There will also be minimal impact on Kosciuszko Pool, due to the fact that the pool is located approximately 350 feet east of the Development Site.[7]

There is context and precedent for the 125 to 145 foot heights being proposed for the Proposed Building. Thirty-one Kosciuszko Street is a 12-story building rising to 135 feet in height, a height very much in line with the 125- and 145-foot heights proposed for the Proposed Development. Thirty-one Kosciuszko is located 360 feet to the west of the Development Site, and was constructed in 2011, prior to the Bed-Stuy North Rezoning, which rezoned the entirety of Block 1778 from an R6 district (a district which did not impose height limits) to a contextual R7A zoning district. A number of NYCHA tower-in-the park style large apartment buildings are located outside of the Surrounding Area, to the west of the Development Site, including the 20-story Lafayette Gardens at the corner of Lafayette Avenue and Franklin Avenue, and the 24-story Pratt and Ryerson Towers further along Dekalb and Lafayette Avenues. There are also five newer 9-story, 85-foot-tall apartment buildings at 191-201 and 209 Spencer Street, between Dekalb Avenue and Willoughby Avenue. It is also worth noting that the Home Depot on the superblock to the north of the Development Site is located in an M1-5 district that allows a 5.0 FAR and no strict height limits (height is governed by a sky exposure plane), unlike the proposed R8A district, which would cap height at 145 feet.

The Project Area has good public transit access. It is only a block away from the Bedford-Nostrand Avenue G subway station, and a B44 Select Bus Service (rapid transit) bus stop is on the sidewalk next to the Development Site on Nostrand Avenue. The B44 Select Bus Service, an rapid transit bus making stops approximately every half-mile, runs between Sheepshead Bay and Williamsburg Bridge Plaza, with connections to Kings County & SUNY Downstate Hospitals at Clarkson Avenue, and Flatbush Avenue/Brooklyn College. Approximately 41,000 passengers travel on the B44 corridor on an average weekday. The G train (with a station only a block away) connects Court Square in Long Island City, Queens, to Church Avenue in Kensington, Brooklyn. The G train connects to the L train at Metropolitan Avenue, the 7 train at Court Square, the A train at Hoyt Schermerhorn, the F train at Bergen Street, and the R train at 4th Avenue-9th Street, all with service to Manhattan. Other bus lines near the Development Site include

[7] According to the Environmental Assessment Statement filed in connection with this application, Kosciuszko Pool will experience an incremental shadow only for the final 18 minutes of the May 6/August 6 analysis day, on a small portion of the concrete deck on the western end of the pool's open space.

the B38, B48, and B54. The Project Area is within the Transit Zone, an area mapped over parts of the City that are served by a variety of public transportation options.

VII. Conclusion

This development will provide workforce housing for moderate-income households in Bedford-Stuyvesant, a neighborhood experiencing significant market pressures. While housing costs have increased in the last ten to fifteen years, and new developments have provided housing for residents with lower incomes, there is a gap in the market for workforce housing in Bed-Stuy; such housing is needed for individuals and families whose income is too great to qualify for low-income affordable housing, but too low for market rate rentals in existing townhouses and in new developments. The workforce housing in the Proposed Development will address that gap in the market. The site is also a unique opportunity to create more affordable and market rate housing in Bed-Stuy on a sizeable former urban renewal site that is not directly adjacent to, and therefore insulated from, the historic low-rise brownstones characteristic of the neighborhood.

The Applicant respectfully requests approval of two actions to facilitate the Proposed Development, a 12 to 14-story mixed residential and retail building with 342,920.72 square feet of floor area, comprised of 330,908.72 square feet of residential floor area, 10,884.20 square feet of commercial floor area, and 1,127.80 square feet of community facility floor area. The Proposed Development will contain approximately 487 dwelling units. Of the 487 dwelling units, approximately 144 will be affordable to households earning an average of 115% AMI. The approximately 144 affordable dwelling units will be equivalent to 30% of the residential floor area in the Proposed Building, in compliance with the Workforce Option of the MIH program. The actions required to facilitate the Proposed Development are (i) a zoning map amendment to rezone the area within 240 feet of Nostrand Avenue from an R7A zoning district to an R8A zoning district, and to map a C2-4 commercial overlay within 100 feet of Nostrand Avenue and extending for 240 feet within 100 feet of Dekalb Avenue; and (ii) a zoning text amendment to designate the Rezoning Area as an MIH area in Appendix F of the Zoning Resolution.